



FEDERAL LAW ENFORCEMENT
WIRELESS USERS GROUP
WASHINGTON, D.C.

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February 23, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
TW-A325
445 Twelfth Street, SW
Washington, DC 20554

Re: Comments to the NTIA's, *Assessment of Compatibility Between Ultrawideband Devices and Selected Federal Systems*, In the Matter of Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems, in WT Docket No. ~~98-153~~

Dear Ms. Salas:

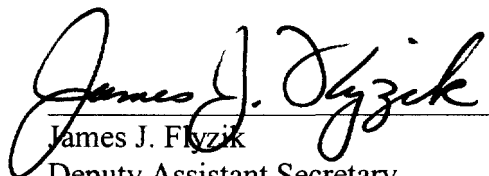
98-153

On behalf of the Federal Law Enforcement Wireless Users Group (FLEWUG) and pursuant to Section 1.419 of the Commission's rules, 47 C.F.R. § 1.419 (1999), enclosed herewith for filing are an original and four (4) copies of the FLEWUG's Comments in the above-referenced proceeding.

Kindly date-stamp the additional, marked copy of this cover letter and return it in the envelope provided.

Should you require any additional information, please contact the undersigned.

Respectfully submitted,



James J. Flyzik
Deputy Assistant Secretary
(Information Systems) and
Chief Information Officer,
Department of the Treasury

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Revision of Part 15 of the Commission's Rules
Regarding Ultra-Wideband Transmission
Systems

ET Docket No. 98-153

**COMMENTS TO NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION ASSESSMENT OF COMPATIBILITY BETWEEN
ULTRA-WIDEBAND DEVICES AND SELECTED FEDERAL SYSTEMS**

Filed by: The Federal Law Enforcement Wireless Users Group

Date: February 23, 2001

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
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Revision of Part 15 of the Commission's Rules)	ET Docket No. 98-153
Regarding Ultra-Wideband Transmission)	
Systems)	
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FEDERAL LAW ENFORCEMENT WIRELESS USERS GROUP'S
COMMENTS IN RESPONSE TO THE NTIA ASSESSMENT

1. The Federal Law Enforcement Wireless Users Group (FLEWUG)¹ respectfully submits the following Comments to the NTIA's, *Assessment of Compatibility Between Ultrawideband Devices and Selected Federal Systems*.²

I. BACKGROUND

2. In support of its constituency and the public safety community at large, the FLEWUG has a significant interest in the proceedings related to the development of any new technology that could potentially enhance or otherwise affect the operation of public safety wireless communications. The FLEWUG is enthusiastic concerning the potential of new and emerging technologies to substantially enhance the roles of its constituency, and of public safety providers

¹ The FLEWUG is comprised of law enforcement and public safety officials from the Department of the Treasury, Department of Justice, Department of the Interior, Department of Agriculture, Department of Defense, Department of Health and Human Services, United States Postal Service, United States Postal Inspection Service, National Telecommunications and Information Administration, Federal Emergency Management Agency, Internal Revenue Service, Federal Bureau of Investigation, United States Secret Service, United States Coast Guard, United States Capitol Police, Drug Enforcement Administration, United States Park Police, Immigration and Naturalization Service, United States Customs Service, Bureau of Alcohol, Tobacco, and Firearms, United States Mint, National Communications System, Defense Information Systems Agency, National Security Agency, Federal Law Enforcement Training Center, Bureau of Engraving and Printing, United States Marshals Service, National Institute of Standards and Technology, United States Forest Service, United States Fish and Wildlife Service, Federal Bureau of Prisons, Bureau of Land Management and National Park Service.

² NTIA Special Publication 01-43, U.S. Department of Commerce, Norman Y. Mineta, Secretary, January 2001.

at all levels of government, while at the same time remains cautious as to the implications of allowing such technologies to operate on the crowded and increasingly scarce radio spectrum. In previous proceedings, the FLEWUG and other Commenters had urged the Commission not to undertake a rulemaking in regard to the use of ultra wideband (UWB) systems in the absence of sufficient technical data regarding their effect on receivers operating in licensed spectrum, to specifically include evaluations then ongoing by the NTIA.³ Now that the first of two phases of the NTIA evaluation have been completed, the FLEWUG is pleased to offer these Comments to the NTIA's Assessment as solicited by the Commission on this docket.

II. DISCUSSION

3. The FLEWUG notes that the NTIA has made two basic conclusions:
 - A. That operation of UWB devices is feasible in portions of the spectrum between about 3.1 and 5.650 Gighahertz (GHz) at heights of about two meters subject to some operating constraints.
 - B. That operations of UWB devices below 3.1 GHz will be "quite challenging," and will need to take into account interactions between UWB systems and Global Positioning Systems (GPS).
4. Inasmuch as the majority of existing and planned public safety communications systems operate or will operate below 3.1 GHz, it is the second conclusion that is of particular concern to the FLEWUG, however the FLEWUG finds both conclusions significant in light of potential developments for line-of-sight communications in the higher frequency ranges, particularly for the transmission of real-time broadband data and video signals.
5. While the FLEWUG does not have the capacity to independently evaluate the NTIA's test data, the FLEWUG observes that the NTIA—which routinely advises the FLEWUG and other entities on technology issues related to the use of federal spectrum—uses and continues to use the most accurate and objective testing criteria available, to include the support and collaboration of the Institute for Telecommunication Sciences (ITS), in Boulder, Colorado.

³ See FLEWUG Comments to the Commission's Notice of Proposed Rulemaking, *In the Matter of Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems*, September 12, 2000 at Para. 3–4.

Having reviewed the NTIA Assessment, the FLEWUG is convinced, based on the experience of its membership, that the testing undertaken by the NTIA is complete to the extent possible, and reflective of the most likely scenarios available.

6. Therefore, the FLEWUG once again urges the Commission to consider the potentially serious implication of the NTIA's determination concerning operations below the 3.1 GHz band, and notes the qualifications noted by the NTIA for its assessment of operations above 3.1 GHz. The FLEWUG joins the NTIA in advising the Commission not undertake a final rulemaking until the NTIA and other technical evaluators are able to compile sufficient data to make exact conclusions concerning the effects of UWB technology. This would include, but by no means be limited to, the completion of the NTIA's second Assessment, which concerns the effect of UWB transmissions on GPS systems.

7. The FLEWUG remains encouraged that any potential discrepancies can be resolved, but is concerned that operating systems not be placed on line until these can be resolved. However, the FLEWUG cautions the Commission that any degree of interference to public safety radio receivers for any duration of time is simply unacceptable in light of the need to ensure the protection of life and property.

III. CONCLUSION

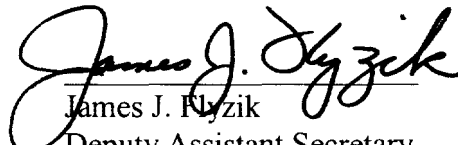
8. The FLEWUG urges the Commission to continue to delay any rulemaking that would permit licensure or unlicensed operations of UWB systems on or adjacent to public safety bands until a complete testing and evaluation of this technology can be accomplished.

9. If the Commission is determined to move forward with a rulemaking, the FLEWUG alternatively urges the Commission to take full account of the NTIA's Assessment, to include the concern about any operation of UWB devices below 3.1 GHz, and the qualifications for its conclusion that operating UWB devices above 1 GHz may be feasible.

10. The FLEWUG reasserts its concern about the protection of all public safety radio receivers and other critical systems such as aircraft navigation from interference. The FLEWUG scarcely need remind the Commission or the public of the potentially dire consequences of doing otherwise.

11. The FLEWUG commends the efforts the NTIA in developing its Assessment, and of those parties who have undertaken to evaluate and respond to the Assessment. The FLEWUG respectfully requests the Commission to carefully consider its positions in these Comments in light of the positions of others.

Respectfully submitted,


James J. Flyzik
Deputy Assistant Secretary
(Information Systems) and
Chief Information Officer,
Department of the Treasury

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Revision of Part 15 of the Commission's Rules
Regarding Ultra-Wideband Transmission
Systems

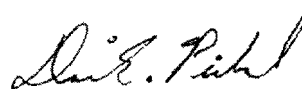
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ET Docket No. 98-153

CERTIFICATE OF SERVICE

I, David E. Pickeral, Associate, Booz·Allen & Hamilton, Inc., 8283 Greensboro Drive, McLean, Virginia, 22102-3838, hereby certify that on this date I caused to be served, by first-class mail, postage prepaid (or by hand where noted) copies of the Federal Law Enforcement Wireless Users Group's Reply Comments to the NTIA's, *Assessment of Compatibility Between Ultrawideband Devices and Selected Federal Systems* the original of which is filed herewith and upon the parties identified on the attached service list.

DATED at Fair Oaks, Virginia this 23rd day of February 2001.



David E. Pickeral

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